EA32.2:G Natural Heritage & **Endangered Species** Program

Commonwealth of Massachusetts Division of Fisheries & Wildlife Field Headquarters Route 135 Westborough, MA 01581 (508) 792-7270, ext. 200

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VERNAL POOLS

OCT 2 7 1999

GOVERNMENT DOCUMENTS COLLECTION

What Is a Vernal Pool?

Vernal pools are temporary bodies of freshwater that provide critical habitat for many vertebrate and invertebrate wildlife species. "Vorsal" recovered to the provide critical habitat for many vertebrate and invertebrate wildlife species. "Vernal" means spring, and indeed, most vernal pools are filled by spring rains and snowmelt, only to dry up during the hot, dry months of summer. Many vernal pools, though, are filled by the rains of autumn and may persist throughout the winter. Vernal pools are often very small and shallow; vernal pools which support rich communities of amphibians and invertebrates may measure only a few yards across. However, vernal pools of several acres are not rare throughout much of Massachusetts.

Where are Vernal Pools Found?

Vernal pools are common in Massachusetts, probably occurring in almost every town in the state. Vernal pools are found across the landscape, anywhere that small woodland depressions, swales or kettle holes collect spring runoff or intercept seasonally high groundwater tables. Although many people associate vernal pools only with wooded areas, ecologically significant vernal pools are also found in meadows, sand flats, river floodplains, and in large vegetated wetland complexes.

Why are Vernal Pools Valuable?

Vernal pools constitute a unique and increasingly vulnerable type of wetland that is inhabited by many species of wildlife, some of which are totally dependent on vernal pools for their survival. Since vernal pools are temporary bodies of water, they do not support fish populations. The Wood Frog (Rana sylvatica), the Eastern Spadefoot Toad (Scaphiopus holbrookii) and the four local species of mole salamander (Ambystoma spp.) have evolved breeding strategies intolerant of fish predation on their eggs and larvae; the lack of fish populations is essential to the breeding success of these species. Other amphibian species, including the American Toad (Bufo americanus), Green Frog (Rana clamitans) and the Red-spotted Newt (Notophthalmus viridescens), often exploit the fish-free waters of vernal pools but do not depend upon them. Vernal pools also support a rich and diverse invertebrate fauna. Some invertebrates species, such as fairy shrimp (Eubranchipus spp.) complete their entire live cycle in vernal pools. Invertebrates are both important predators and prey in vernal pool ecosystems. Vernal pools are an important habitat resource for many species of birds, mammals, reptiles and amphibians.

Are Vernal Pools a Threatened Resource?

Yes! Prior to 1987, vernal pools in Massachusetts were not given protection under the state's Wetlands Protection Act, and protection under the federal Clean Water Act was not always administered consistently or adequately. As a result, many vernal pools were filled as part of the rapid development that has occurred throughout the Commonwealth in the past several decades. Three species of mole saiamanders, the Eastern Spadefoot Toad, and two crustaceans, all of which require vernal pools, are now considered rare in Massachusetts.

Vernal Pool Protection

The Massachusetts Wetlands Protection Act, Title V of the Massachusetts Environmental Code, the Massachusetts Surface Water Quality Standards, and the Forest Cutting Practices Act all provide certain regulatory protection for vernal pool habitat. Such protection is not automatic, however. The Wetlands Protection Act regulations protect vernal pools located only within Wetland Resource Areas. The regulations presume that vernal pools do not exist on a site unless they have been officially certified by the Natural Heritage & Endangered Species Program of the Division of Fisheries & Wildlife, or if scientific evidence is presented to the local conservation commission or DEP which clearly demonstrates that a Wetlands Resource Area functions as wildlife habitat. The regulations for Title V, the Massachusetts Surface Water Quality Standards, and the Forest Cutting Practices Act protect vernal pools, regardless of their size or location, if certified by the Division. Only vernal pools that meet certain biological and physical criteria established by the Natural Heritage & Endangered Species Program can be certified.

How Can Vernal Pools be Certified?

The Certification Program depends entirely on the initiative of interested individuals and organizations. Interested parties should:

- 1. Contact the Massachusetts Natural Heritage & Endangered Species Program to obtain the "Guidelines for the Certification of Vernal Pool Habitat," along with several Vernal Pool Field Observation Forms;
- 2. Locate potential vernal pools and complete the Field Observation Form;
- 3. Submit the Field Observation Forms, along with supporting physical and biological evidence and required mapping documentation to the NH&ESP for review (the preferred type of evidence needed for meeting the biological certification criteria is photographic documentation of breeding by Wood Frogs or mole salamanders, or the presence of fairy shrimp. See the "Guidelines" for details).

Following receipt of certification materials, the Natural Heritage & Endangered Species Program will consider the completeness and accuracy of the information and documentation presented. The observer, town conservation commission and the regional office of the Department of Environmental Protection will be notified of the certification of the vernal pool when complete. The locations of Certified Vernal Pools are plotted on maps supplied to town conservation commissions containing the "Estimated Habitats of Rare Wetlands Wildlife and Certified Vernal Pools" on a biennial basis. The Natural Heritage & Endangered Species Program also produces a state-wide Atlas of these maps available at cost.

To determine whether or not a vernal pool falls within a Wetlands Resource Area, contact the members of your local conservation commission. For general information regarding the Wetlands Protection Act, as well as the names and addresses of local conservation commissioners, call the Massachusetts Association of Conservation Commissions at (617) 489-3930. For specific information regarding the regulatory protection afforded certified vernal pools, as well as uncertified vernal pools, contact the Department of Environmental Protection.



The Commonwealth of Massachusetts Division of Fisheries and Wildlife Leverett Saltonstall Building, Government Center 100 Cambridge Street, Boston 02202

May, 1988 ERNMENT DOCUMENTS COLLECTION

GUIDELINES FOR CERTIFICATION OF VERNAL POOL HABITAT

OCT 2 7 1999

INTRODUCTION

Importance of Vernal Pools

University of Massachusetts
Depository Copy

Vernal pools constitute a unique and increasingly rare type of wetland that is inhabited by many species of wildlife, some of which are totally dependent on vernal pool habitat for their survival. This uniqueness is due to a number of factors, including their small size, generally temporary nature, isolation from permanent water bodies and absence of fish populations. Owing to the fact that vernal pools are devoid of the effects of fish predation, the breeding strategies of a number of amphibian species have evolved to the point of total reliance on these isolated wetlands. The wood frog (Rana sylvatica) and all species of mole salamanders (genus Ambystoma) that occur in Massachusetts breed exclusively in vernal pools. These species annually risk the chance that the pools will dry up before their tadpoles/larvae complete metamorphosis in exchange for the benefit of not being subjected to fish predation. Areas in the immediate vicinity of the pool also provide these species with important nonbreeding habitat functions, such as feeding, shelter and overwintering sites. Many other species of amphibians utilize vernal pool habitat for breeding and nonbreeding functions, although they are not restricted to this type of wetland. The many diverse types of invertebrates that inhabit vernal pools provide important food for various species of birds, mammals and reptiles, as well as amphibians. Some invertebrates, such as fairy shrimps, spend their entire lives in this unique habitat.

The protection of vernal pool habitat is essential for the continued survival of wildlife species that are dependent upon this unique type of wetland. Destruction or alteration of a vernal pool is likely to have a very significant adverse impact on the local amphibian populations for which the pool serves as a traditional breeding site, because few if any of them will be able to find alternative breeding sites. The accelerated rate of development in the Commonwealth makes it imperative that vernal pools be certified and mapped in advance in an effort to steer proposed development projects away from these critical habitats.

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APPROVED BY: Ric Murphy, State Purchasing Agent

Protection of Vernal Pool Habitat under the Wetlands Protection Act

The revised Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00) which became effective on November 1, 1987, include provisions for the protection of <u>certain</u> vernal pool habitat within the Commonwealth. Under these regulations, vernal pool habitat is given virtually "automatic" protection only if it:

- 1. occurs either (a) within the 100 year inland floodplain or (b) on "Isolated Land Subject to Flooding" (as defined in the regulations at 310 CMR 10.57 (2)(b)); and
- 2. its existence and location has been certified by the Massachusetts Division of Fisheries and Wildlife.

Under the regulations, vernal pool habitat is presumed to exist on a property only if it has been certified and mapped prior to the filing of a Notice of Intent. Otherwise, applicants are not required to protect vernal pools (unless their existence is <u>clearly</u> demonstrated through scientific evidence presented at a public hearing).

The regulations emphasize that vernal pools are confined basin depressions which contain water for at least two continuous months in the spring and/or summer during most years, that fish are absent from these bodies of water, and that vernal pools are essential breeding habitat for certain amphibians as well as important habitat for other wildlife species. Vernal pool habitat may include the area within 100 feet of the mean annual boundaries of the vernal pool itself, but only insofar as such area is contained within a "resource area" protected under the Wetlands Protection Act (see 310 CMR 10.00 for resource area boundaries). The regulations do not contain any provisions for the protection of upland vernal pool habitat.

The Natural Heritage and Endangered Species Program will coordinate the vernal pool certification program for the Division of Fisheries and Wildlife. The Vernal Pool Certification Guidelines contained below have been reviewed and approved by the Massachusetts Department of Environmental Quality Engineering (DEQE), Division of Wetlands and Waterways Regulation, and are acceptable to that Division as being consistent with vernal pool habitat protection provisions of the Wetlands Protection Act Regulations.

The Natural Heritage and Endangered Species Program will not itself be identifying vernal pool habitat, but rather will certify vernal pools identified by others which meet the certification standards contained in this document. The Heritage Program will not certify whether or not the vernal pool habitat is within a resource area protected by the Wetlands Protection Act. This determination must be made by the town conservation commission (or the state DEQE upon appeal) upon the filing of a Notice of Intent under the Wetlands Protection Act.

The remainder of this document provides detailed information on the following four elements that are <u>required</u> for the certification of vernal pool habitat:

- I. Biological and physical criteria that are to be used in identifying vernal pool habitat; and
- II. Documentation of field observations; and
- III. Mapping criteria that are to be used in documenting the location of vernal pool habitat; and
- IV. Presentation of evidence on official forms.

VERNAL POOL CERTIFICATION CRITERIA

I. Biological and Physical Criteria

Vernal pool habitat is extremely important to a variety of wildlife species. Some amphibians breed exclusively in vernal pools, whereas other organisms such as fairy shrimps spend their entire life cycles confined to vernal pool habitat. Many additional wildlife species utilize vernal pools among various aquatic habitats for breeding, feeding and other important functions.

The species listed under categories A and B below are "obligate" vernal pool species—that is, species that are found only in vernal pools during all or part of their lifetimes, and that require vernal pools for their survival. They serve as direct indicators for the existence of vernal pool habitat. These species are the intended primary beneficiaries of vernal pool habitat protection.

Documentation of vernal pool utilization by these species is the preferred method of identifying vernal pools. It is also generally the easiest type of evidence to find in the field.

The animal and plant species listed under categories C and D below are "facultative" vernal pool species—that is, species which occur in vernal pools, but which can also be found in permanent water. They serve as indirect indicators for the existence of vernal pool habitat. Because these species also occur in permanently aquatic habitats that support fish populations, it is essential that the absence of fish be documented for these vernal pools prior to the submittal of evidence for consideration for certification status. Generally, such documentation will consist of evidence that the pool dries up during the year. Category E may include a combination of obligate and facultative vernal pool species, including those not specifically listed in A and C, such as Spadefoot Toads (Scaphiopus holbrookii).

ANY ONE OF THE FOLLOWING (A THROUGH E) WILL VERIFY THE EXISTENCE OF A VERNAL POOL:

- A. Existence of (1) a confined basin depression and (2) evidence of breeding in standing water by any of the following amphibian species (these species breed only in vernal pools):
 - a. Wood Frog (Rana sylvatica)
 - b. Spotted Salamander (Ambystoma maculatum)
 - c. Blue-spotted Salamander (Ambystoma laterale)
 - d. Jefferson Salamander (Ambystoma jeffersonianum)
 - e. Silvery Salamander (Ambystoma "platineum")
 - f. Tremblay's Salamander (Ambystoma "tremblayi")
 - g. Marbled Salamander (Ambystoma opacum)

Species b through g above are collectively known as mole salamanders.

The presence of any of the following will be considered as acceptable proof that a vernal pool is utilized for breeding purposes by one or more of the above-named species:

- 1. Breeding adults
 - a. Wood frog-breeding chorus and/or mated pairs
 - b. Mole salamanders—courting individuals and/or spermatophores
- 2. Two or more egg masses of any of the above-named species
- 3. Wood frog tadpoles or mole salamander larvae
- 4. Transforming juveniles
 - a. Wood frog-tail stubs evident
 - b. Mole salamanders-gill remnants evident; or
- B. Existence of (1) a confined basin depression and (2) the presence of fairy shrimp (Anostraca) or their eggs therein. These species spend their entire life cycles in vernal pool habitat; or
- C. Existence of (1) a confined basin depression which (2) contains standing water that dries up during the year (or which for other reasons is free of adult fish populations) and (3) the presence of two or more of the following in standing water (these species are not found in water that persists for less than two continuous months in the spring and/or summer):
 - a. Breeding spring peepers (Hyla crucifer)*
 - b. Breeding gray treefrogs (Hyla versicolor)*
 - c. Breeding green frogs (Rana clamitans)*
 - d. Breeding American toads (Bufo americanus)*
 - e. Breeding Fowler's toads (Bufo woodhousii fowleri)*
 - f. Breeding four-toed salamanders (Hemidactylium scutatum)*
 - g. Adult red-spotted newts (Notophthalmus viridescens)
 - h. Spotted turtles (Clemmys guttata)
 - i. Painted turtles (Chrysemys picta)
 - j. Snapping turtles (Chelydra serpentina)
 - k. Water scorpions (Nepidae)
 - 1. Predaceous diving beetle larvae (Dytiscidae)
 - m. Whirligig beetle larvae (Gyrinidae)
 - n. Dobsonfly larvae (Corydalidae)
 - o. Caddisfly larvae (Trichoptera)
 - p. Dragonfly larvae (Odonata, Anisoptera)
 - q. Damselfly larvae (Odonata, Zygoptera)
 - r. Leeches (Hirudinea)
 - * Evidence for breeding activity includes breeding adults, eggs, tadpoles or larvae, and transforming juveniles (see category I.A. 1-4 above); or

- D. Existence of (1) a confined basin depression which (2) lacks standing water or which contains standing water that dries up during the year (or is otherwise free of adult fish populations) and (3) the presence of one or more of the following (these species are found only in areas that contain water for at least two continuous months in the spring and/or summer):
 - a. Cases of caddisfly larvae (Trichoptera)
 - b. Adults, juveniles or shells of either of the following:
 - 1. Freshwater clams (Pisidiidae)
 - 2. Amphibious air-breathing snails (Basommatophora)
 - c. At least six of the following wetland plant species:
 - 1. Duckweeds (Lemna spp., Spirodela spp., Wolffia spp.)
 - 2. Fountain moss (Fontinalis spp.)
 - 3. False mermaid weeds (<u>Proserpinaca palustris</u> and P. pectinata)
 - 4. Bur-reeds (Sparganium and rocladum and S. chlorocarpum)
 - 5. Buttonbush (Cephalanthus occidentalis)
 - 6. Pondweeds (Potamogeton spp.)
 - 7. Bladderworts (<u>Utricularia clandestina</u>, <u>U</u>. gibba and U. subulata)
 - 8. Water-milfoils (Myriophyllum humile and M. tenellum)
 - 9. Water plantain (Alisma plantago-aquatica)
 - 10. Yellow water-crowfoot (Ranunculus flabellaris)
 - 11. Featherfoil (Hottonia inflata)
 - 12. Water-starworts (Callitriche spp.)
 - 13. False pimpernels (Lindernia anagallidea and L. dubia)
 - 14. Lance-leaved violet (Viola lanceolata)
 - 15. St. John's-worts (<u>Hypericum adpressum</u>, <u>H. boreale</u>, <u>H. canadense</u>, and <u>H. mutilum</u>)
 - 16. Smartweeds (Polygonum amphibium, P. hydropiper,
 - P. hydropiperoides, P. pensylvanicum and P. punctatum)
 - 17. A rush (Juncus pelocarpus)
 - 18. Sedges (Rhynchospora capitellata and R. fusca)
 - 19. Grasses
 - a. Agrostis scabra
 - b. Glyceria acutiflora
 - c. Glyceria canadensis
 - d. Glyceria fernaldii
 - e. Glyceria pallida
 - f. Muhlenbergia uniflora
- g. Panicum dichotomiflorum
- h. Panicum meridionale
- i. Panicum philadelphicum
- j. Panicum rigidulum
- k. Panicum tuckermanii
- 1. Panicum verrucosum; or
- E. Existence of all of the following:
 - 1. Documented presence of water in a confined basin depression for at least two continuous months in the spring and/or summer; and
 - 2. Confirmation that the vernal pool area becomes completely dry during a portion of the year (or other documentation proving the absence of adult fish populations); and
 - 3. Presence of any amphibians and/or reptiles in standing water within the confined basin depression.

II. Required Documentation of Field Observations

- A. One of the following types of evidence is required to verify the existence of a <u>confined basin depression</u>:
 - A clear photograph and/or statement of direct observation of a pool of standing water without an above-ground outlet. (The pool may occasionally have an intermittently flowing outlet, but the photograph must be taken and/or observations made at a time when this is not occurring.)
 - 2. A clear photograph and/or statement of direct observation of an area lacking standing water that clearly contains a confined basin depression (applies only to categories I.B. and I.D., above).
- B. One of the following types of evidence must be submitted to confirm observations of <u>animal species</u> that were observed (this evidence <u>may</u> not be necessary under category I.D., above):
 - 1. Photograph(s). This is the preferred method. Both prints and slides are acceptable. The location, date and observer's name should be written on the back of each print or the margin of each slide.
 - 2. Videotape recording. The location, date and observer's name should be included on the audio and/or visual portion of the recording.
 - 3. Tape recording of a frog breeding chorus. The location, date and observer's name should be included on the recording.
 - 4. Detailed description(s) of the organism(s) observed, including a discussion of the criteria that were used to identify the species involved. A drawing of the animal may be submitted in addition to the description.
 - 5. Field notes of a biologist competent in animal identification.
 - 6. Other clear scientific evidence.
- C. One of the following types of evidence must be submitted to confirm observations of <u>plant species</u> that were observed (applies only to category I.D., above):
 - 1. Herbarium specimen(s). The specimen(s) must be properly labelled.
 - 2. Photograph(s). Both prints and slides are acceptable. The location, date and observer's name should be written on the back of each print or the margin of each slide.
 - 3. Field notes of a biologist competent in plant identification.
- D. One of the following types of evidence is required to confirm that a proposed vernal pool habitat area <u>does not support adult fish populations</u> (applies only to categories I.C., I.D., and I.E., above):
 - 1. Recorded date when the pool was completely dry. Submission of a photograph of the dry depression is recommended.
 - 2. Scientific evidence that documents the absence of fish.

- E. The following evidence is required to support observations that a confined basin depression holds water for at least two continuous months in the spring and/or summer (applies only to category I.E., above):
 - 1. A log book containing a record of observations in which the presence or absence of water in a depression was noted. The pool should have been visited on an approximately weekly basis. The approximate depth and dimensions of the pool should be noted on each observation date.
 - 2. A list of all amphibians and reptiles that were observed in the pool <u>must</u> also be included in the log book. Species that used the pool for breeding purposes (include dates) should be noted.

III. Mapping Criteria

One of the following is required to identify the location of a vernal pool:

- A. Metes and bounds
 - Compass bearings and measured distances (preferably within 1000 feet) to the pool from at least two <u>permanent</u> landmarks. The compass bearings must account for the appropriate declination. The locations of the landmarks and the vernal pool <u>must</u> appear or be placed on an assessor's map or other map used for property tax purposes. If there are other nearby confined basin depressions with which the vernal pool could be confused, these should also be noted on the map. A photocopy of an 8-1/2" x 11" section of the appropriate United States Geological Survey 7-1/2' quadrangle map with the approximate site of the vernal pool clearly marked should also be included. It is recommended that a sketch map and/or detailed description of features in the immediate vicinity of the vernal pool also be submitted.
- B. Aerial photographs
 - The location of the vernal pool must be clearly visible on the aerial photograph. The location of the vernal pool <u>must</u> also appear or be placed on an assessor's map or other map used for property tax purposes. If there are other nearby confined basin depressions with which the vernal pool could be confused, these should also be noted on the map. A photocopy of an 8-1/2" x 11" section of the appropriate United States Geological Survey 7-1/2'quadrangle map with the approximate site of the vernal pool clearly marked should also be included.
- C. Professional survey
 - The location of the vernal pool <u>must</u> appear or be placed on an assessor's map or other map used for property tax purposes. If there are other nearby confined basin depressions with which the vernal pool could be confused, these should also be noted on the map. A photocopy of an 8-1/2" x 11" section of the appropriate United States Geological Survey 7-1/2' quadrangle map with the approximate site of the vernal pool clearly marked should also be included.

IV. Field Observation Forms

Application for certification status of a proposed vernal pool habitat should be submitted on standard field observation forms available from the following address:

Vernal Pool Certification
Natural Heritage and Endangered Species Program
MA Division of Fisheries and Wildlife
100 Cambridge Street
Boston, MA 02202
617-727-9194

Completed field observation forms and other supporting documentation must be submitted to the above address for certification review. All submitted materials (including photographs, tape recordings, etc.) will be retained by the Natural Heritage and Endangered Species Program. Upon review of the submitted documentation, the Program will:

- 1. Certify the vernal pool habitat if the documentation that is received is consistent with the criteria outlined above. Notification of certification will be sent to the local conservation commission, the appropriate DEQE regional office, the landowner, and the party submitting the documentation; or
- 2. Request additional documentation from the observer; or
- 3. Deny the request for certification if the documentation that is received is not consistent with the criteria outlined above.

Vernal Pool Field Observation Forms

Observer information:	Name:				
	Address:	Submit completed forms to: Vernal Pools MNH&ESP Route 135			
	Telephone:	Westboro, MA 01581			
* REQUIRED *	▶ Photographs of the pool and of species observed must be submitted for certification ▶ USGS Topographic map, Town Assessor's map Refer to the "Guidelines for Certification of Vernal Pool Habitat" (1988) for documentation stands for the certification of vernal pool habitat				
Mapping Sources Subr (Check all submitted)	nitted: REQUIREDUSGSAssessor's	At Least ONE Additional Metes and Bounds (see "Guidelines") Professional Survey			
		Aerial PhotographOther:			
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TES / NO Were an	y rare state-listed species observed	utilizing this poor:			
YES / NO Is docum	nentation of this/these species incl	uded with this filing?			
Are fish present?					
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YES / NO Obligate	vernal-pool breeding species obse	erved			
Other evidence:					
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		Vernal Pool Data			
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					Cc	odes
	Wood Frog	Spotted	Blue-spotted	Jefferson's		Breeding chorus
Date,		Salamander	Salamander	Salamander		Mated pairs Courting adults
Evidence Code		·				Spermatophores
	Marbled Salamander	Unidentified Mole Sal.	Spadefoot Toad	Fairy Shrimp	5.	5. Egg masses
					6. Frog tadpoles 7. Salamander larvae	
Date,	Salamander	Mole Sal.				Transforming juvenile
Evidence Code				Ave		
Facultative Spe	cies (See Guideli	nes)				
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Date ___

Signature _

Vernal Pool Identification and Certification

Colburn, E.A., ed. 1993. Certified: A Citizen's Step-by-Step Guide to Protecting Vernal Pools. 5th Edition. Massachusetts Audubon Society, Lincoln, MA.

Downer, Ann. 1992. Spring Pool: A Guide to the Ecology of Temporary Ponds. New England Aquarium, Boston, MA.

Kenney, L.P. 1995. Wicked Big Puddles: A Guide to the Study and Certification of Vernal Pools. Vernal Pool Association, Reading, MA.

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